

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
RUBEN MARQUEZ DE LA CRUZ, *individually and on* :  
*behalf of others similarly situated,* :

Plaintiffs, :

-v- :

ESTRELLITA POBLANA, INC. et al., :

Defendants. :

20 Civ. 5437 (JPC)

ORDER

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JOHN P. CRONAN, United States District Judge:

The Court held an Initial Pretrial Conference in this action on February 10, 2021. When the Court inquired into the status of service on Defendants Estrellita Poblana, Inc. and Antonio Doe, Defendants' counsel claimed that public records reflect that Defendant Estrellita Poblana, Inc. no longer exists. The Court postponed entering a Case Management Plan and directed Plaintiff to file a letter with the Court by February 24, 2021, describing whether he intends to continue this action against Defendant Estrellita Poblana, Inc. and Antonio Doe.

Plaintiff filed a letter on February 24, 2021, advising the Court of his intent to file a motion to amend the Complaint to remove Defendants Estrellita Poblana, Inc. and Antonio Doe from this action and add La Estrellita Del Sur Restaurant Corp. as a defendant. (Dkt. 32).


On February 25, 2021, the Court directed Defendants to inform the Court by March 1, 2021, whether they consent to Plaintiff's forthcoming motion to amend. (Dkt. 33). To date, Defendants have not filed any objections to Plaintiff's request.

The Court finds that no pre-motion conference is necessary for Plaintiff's forthcoming motion and construes Plaintiff's February 24, 2021 letter as requesting leave to amend the Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2).

The Court grants Plaintiff's unopposed motion to amend the Complaint. Plaintiff is directed to file his amended Complaint by March 10, 2021.

SO ORDERED.

Dated: March 4, 2021  
New York, New York



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JOHN P. CRONAN  
United States District Judge